IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

Bail Appl..No. 4874 of 2007()

CMP.5768/2007 of J.M.F.C.-II,NEDUMANGAD

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CRIME NO.87/2007 OF NEDUMANGAD EXCISE RANGE

PETITIONER/ACCUSED

VIJAYAKUMAR, S/O. SUKUMARAN,
VINITHA BHAVAN, PUTHEN VILA, ARASUPARAMPU MURI,
NEDUMANGAD VILLAGE, NEDUMANGAD TALUK.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.4874 of 2007

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Dated this the 13th day of August, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 2.5 litres of arrack on 28.07.2007. The petitioner was arrested and he continues in custody from that date. The learned Public Prosecutor submits that the petitioner faces allegations under the Kerala Abkari Act in two other crimes also.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that the petitioner, can now be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released from custody on the strength of this order prior to 23/08/2007. The Investigating Officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months. Thereafter, he shall make himself available for interrogation as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

sj